

Apr. 17, 2013 7:41AM

No. 2215 P. 10

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

HIEN NGUYEN,

Plaintiff,

vs.

ALLSTATE FIRE AND CASUALTY
INSURANCE COMPANY,
COMPANY, an Illinois Company,

Defendant.

Case No. 1304-05038

CIVIL COMPLAINT FOR
UNDERINSURANCE BENEFITSClaim for more than \$50,000.00
(Claim not subject to mandatory arbitration)

FEE AUTHORITY: ORS 21.160(1)(c)

(Prayer for \$75,000.00)

Plaintiff alleges:

1.

Defendant was and is an insurance company incorporated under Illinois law. At all times material, there was in effect an automobile policy (Policy# 9 64 616906 09/17), that the Defendant issued to Henry and Mui Do Nguyen; Hien Nguyen is a listed driver in the policy issued to his son.

2.

On or about August 2, 2012, Plaintiff was a driver of an automobile covered by the insurance policy Defendant issued unto Plaintiff. The policy provides for \$100,000.00 in UIM benefits.

PAGE 1 OF 3- CIVIL COMPLAINT FOR
UNDERINSURANCE BENEFITS

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EXHIBIT

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3.

Plaintiff was injured in a motor vehicle accident that occurred on or about August 2, 2012. He subsequently applied for UIM benefits pursuant to the insurance policy and performed all conditions required of him under said policy.

4.

As a direct and proximate result of the aforementioned motor vehicle accident, Plaintiff suffered serious and very painful injuries all to his economic damages in the amount of \$125,426.52, or an amount to be proven at trial. Some of this balance has been covered by Plaintiff's Personal Injury Protection Benefits and Medicare. The exact figure for the Medicare lien is to be proven at trial.

5.

Defendant is entitled to a credit of \$25,000.00 being the amount of insurance held by the at-fault driver.

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PAGE 2 OF 3 - CIVIL COMPLAINT FOR
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6.

Plaintiff is entitled to recovery of his reasonable attorney's fees.

WHEREFORE, Plaintiff prays for a judgment against Defendant as follows:

A. Economic and non-economic damages in the amount of \$75,000.00, or an amount proven at trial;

B. His attorney's fees, costs and disbursements incurred herein;

C. And for such other relief as the Court deems equitable and just.

DATE THIS 9 day of April, 2013.

ROBERT LE, P.C.


Robert Le, OSB No. 094167
Attorney for Plaintiff

PAGE 3 OF 3 - CIVIL COMPLAINT FOR
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